No part of the school system, including the facilities, email addresses, the name, the staff, and the students, shall be used for solicitation or promoting the interests of any commercial, political or other non-school agency or organization except as expressly permitted under the sections below.

Any entity that wishes to advertise or solicit in schools must prominently display the following disclaimer:

"The Knox County Board of Education and the Knox County Schools do not sponsor or endorse this advertisement or solicitation."

The school system at all times retains the discretion to accept or reject any advertisement or solicitation for any legal reason, including, but not limited to, the following:

1. The advertisement or solicitation is libelous, invades the privacy of others, invades the privacy of others, infringes on a copyright, or is in any way prohibited by state or federal law.
2. The advertisement or solicitation is obscene, pornographic or lewd, vulgar or indecent.
3. The advertisement or solicitation primarily consists of advertisements for sale or solicitations for business.
4. The advertisement or solicitation endorses a particular candidate for public office, subject to the provisions of "political solicitation," below.
5. The advertisement or solicitation promotes alcohol, tobacco, drugs, or other illegal activity.
6. The advertisement or solicitation is likely to cause substantial disruption to the school and its activities or likely to materially interfere with the proper and orderly operation of the school and its activities.
7. The advertisement or solicitation contains substantive messages on politics, religion, or other matters not related to the educational mission of Knox County Schools.

This policy shall in no way restrict the School Board or administration of the Knox County Schools from advocating for specific governmental actions and/or changes to laws, regulations, ordinances or policies that they deem to be in the best interests of providing an effective public education to Knox County Schools students.

No sign or message in support of or opposition to a referendum or initiative placed before the voters shall be displayed on a sign owned by an LEA or its schools or attached to LEA-owned buildings. No audio or video messages in support of or opposition to a referendum or initiative shall be dispersed using LEA or school telephonic or electronic equipment or accounts.¹

DEFINITIONS

Advertising or Solicitation: the promotion of any product, service, activity, program, or point of view to
the community or to those who use or frequent a “facility” by placing a sign, display, advertisement, banner, etc. on District property, or within a publication or program published, enacted, performed, or sponsored by the district, such as, but not limited to, school programs, yearbooks, newspapers, broadcasts, or internet content.

Paid Advertising: The payment of money or other economic benefit to the District or schools within the district for advertising.

Facilities: Individual buildings and real property owned or operated by Knox County Schools (KCS), or over which KCS has full or partial control.

Sponsorship: The third party monetary or in-kind support of a school, program or student activity without the expectation of any direct benefit to or recognition of the third party. “Sponsorship” is not “Advertising” as defined under this policy.

PAID ADVERTISING

The Board recognizes that the funds that the schools and the District may derive from such paid advertising will benefit the district, its schools, students, employees, programs, and the community. No paid advertising may be placed in or used by the District or a school except as defined and permitted herein and approved in accordance with this policy. No paid advertising shall be construed as or constitute an endorsement by the Board, District, or school of any product, service, activity, program, or organization, and the District reserves the right to reject any paid advertising.

Subject to the approvals herein, paid advertising may be allowed on the Knox County Schools athletic facilities, stadiums, ball fields, gymnasiums, auditoriums, program pamphlets, school publications, or any other venue where such paid advertising would be directed primarily to members of the public.

(1) There shall be no paid advertising in the classrooms or in any other venue where such paid advertising would be principally directed at KCS students.

(2) There shall be no paid advertising on the exterior of a building, or that involves the erection of an apparatus on school grounds, or that involves the anchoring of signage into a physical wall without the prior written approval of the Director of Schools or the Director’s designee.

(3) There shall be no billboards or signage on the top of KCS buildings.

(4) Paid advertising may take the form of ads in programs, yearbooks, or newspapers; fixed signage; banners; sponsorship of an academic or athletic event(s), or team(s).

(5) All paid advertising must be documented by a contract signed on the KCS side by the principal or administrator in charge and the Superintendent’s designee. All advertisements must be approved by the principal or administrator in charge before being displayed, and may not conflict with the school’s civic or educational mission.

(6) No paid advertising contract shall be of duration of more than one year without prior Board approval.

(7) This policy is intended solely to sell paid advertising to raise revenue to defray costs and expressly does not create a public forum for public expression.
(8) Decisions of the principal or administrator in charge to allow or disallow paid advertising may be appealed to the Director of Schools or the Director’s designee, whose decision shall be final.

UNPAID ADVERTISING

The district and schools may, cooperate in furthering the work of any non-profit, social service agency, provided that such cooperation does not restrict or impair the educational programs of the schools. Civic or other non-profit, non-political organizations may advertise events pertinent to the students’ interest or involvement. Advertisements or solicitation from an organization will be considered for distribution without regard to the organization’s religious or secular viewpoint. The distributors of any unpaid advertising material must follow the procedures set by the principal. Decisions of the principal or administrator in charge to allow or disallow unpaid advertising may be appealed to the Director of Schools or the Director’s designee, whose decision shall be final. Additionally, the school may cooperate with any governmental agency or school support organization in promoting activities or information which advance the education or other best interests of the students. Unpaid advertising may not conflict with the school’s civic or educational mission.

CRITERIA FOR ADVERTISING

All advertising or solicitation must meet the following criteria:

(1) No advertising shall promote hostility, disorder, or violence.

(2) No advertising shall attack, demean, ridicule or disparage based upon membership in any group identified in the District’s non-discrimination policies.

(3) No advertising shall be libelous.

(4) No advertising shall be allowed that is not age-appropriate to the students attending the institution or those who might reasonably be expected to view such advertisements.

(5) No advertising shall endorse a political cause, political activity, political party, or candidate for political office or position, except that such entities may provide sponsorships, as defined above. Knox County Schools may provide appropriate recognition as such sponsorships.

(6) No advertising shall promote the use of drugs, alcohol, tobacco, firearms or gambling.

(7) No advertising shall be inconsistent with the District’s nutrition guidelines and the District’s school wellness policy.

(8) All advertising signage must comply with all applicable building codes.

(9) The use in the schools of curriculum-related material and school supplies bearing the name of a business, publisher, or manufacturer shall not be construed as advertising under this policy.

(10) The distribution or display of awards for or recognitions of a facility, students or faculty donated by a commercial enterprise and approved by the principal shall not be construed as paid commercial advertising within the meaning of this policy.
(11) No advertising shall conflict with the Board’s mission, policies, Board-adopted Legislative Agenda, or the District’s curriculum or instructional program.

(12) No advertising shall adversely affect the District’s reputation or image.

(13) No advertising shall promote private K-12 schools or K-12 schools chartered by chartering agencies other than KCS.

POLITICAL SOLICITATION

Solicitation or advertising in any form by candidates for public office or political or issue oriented organizations is not permitted. Political literature shall not be distributed through the school to students, nor sent home to parents, nor placed in teachers’ mail boxes, lounges, or on school premises. Political advertising in any form shall not be permitted on school facilities, on school grounds or in school publications.

The sole exceptions to this restriction are as follows:

(1) For election days at those school facilities that are used as polling places, political signage may be placed on campuses that host polling places beginning at 6:00 p.m. on the day prior to an election. On election days at these locations, election officials will determine the placement of advertising and the permissibility of solicitation. All such materials must be removed by the candidates by 7:00 a.m. the day following the election.

(2) Political office holders and those campaigning for political office may provide sponsorships, as defined above. The Knox County Schools maintains the right to provide appropriate recognition of such sponsorships.

(3) Candidates for elected offices within Knox County Schools or Knox County Government which are not voted upon by the general public (e.g., a representative to the county retirement board) may advertise under this policy, but candidates for office which is voted upon by the general public (e.g., School Board) may not use Knox County Schools information systems to promote their candidacy.

Legal Reference

1. T.C.A. § 49-6-2009